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17 Attorneys for Defendants,
18 **COUNTY OF LOS ANGELES and**
19 **DEPUTY WILLIAMS**
20 *(Exempt from filing fees pursuant to
21 Government Code § 6103)*

22 UNITED STATES DISTRICT COURT
23 CENTRAL DISTRICT OF CALIFORNIA

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28 **JOSHUA ASSIFF,**

Plaintiff,

v.

**COUNTY OF LOS ANGELES;
SHERIFF DEPUTY BADGE
NUMBER 404532;
And DOES 1 through 10,**

Defendants.

Case No. 2:22-cv-05367 RGK (MAAx)

JOINT EXHIBIT LIST

Action Filed: August 3, 2022
Pretrial Conference: July 10, 2023
Trial Date: July 25, 2023

Assigned to: Hon. R. Gary Klausner,
District Judge, Courtroom 850

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2 Plaintiff, JOSHUA ASSIFF (hereinafter "Plaintiff") and Defendants
3 COUNTY OF LOS ANGELES and TRAVIS KELLY and hereby respectfully
4 submit the following JOINT EXHIBIT LIST.

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6 Plaintiff's Exhibits:

No.	Description	Objection	Response	Admitted
1	Defendant Kelly's Body Worn Camera Video			
2	Supervisor's Report on Use of Force COUNTY 109-111			
3	Assiff Mobile Phone Video ASSIFF 30/31	<ul style="list-style-type: none">• Cumulative (FRE 403)• Foundation (FRE 901)	Foundation will be established by witness at trial; Not cumulative, different angle, different information	
4	Service Comment Report #232314 COLA- 34-37	<ul style="list-style-type: none">• Hearsay (FRE 801)• Foundation (FRE 901)• Relevance (FRE 401, 402)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of	

		<ul style="list-style-type: none"> • Prejudice (FRE 403) • Character Evidence (FRE 404) 	<p>independent significance, exceptions to hearsay apply; Relevant to show notice, County's inadequate supervision, discipline and training; Probative value out weights prejudice; Shows motive, lack of mistake, habit, modus operandi</p>	
19 20 21 22 23 24 25 26 27 28	5 Service Comment Report #246263 COLA- 65-67	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) • Prejudice (FRE 403) 	<p>Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent</p>	

		<ul style="list-style-type: none"> • Character Evidence (FRE 404) 	<p>significance, exceptions to hearsay apply; Relevant to show notice, County's inadequate supervision, discipline and training; Probative value out weighs prejudice; Shows motive, lack of mistake, habit, modus operandi</p>	
18 19 20 21 22 23 24 25 26 27 28	6 Service Comment Report #255777 COLA-71-72	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) • Prejudice (FRE 403) 	<p>Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance,</p>	

		<ul style="list-style-type: none"> • Character Evidence (FRE 404) 	<p>exceptions to hearsay apply; Relevant to show notice, County's inadequate supervision, discipline and training; Probative value out weighs prejudice; Shows motive, lack of mistake, habit, modus operandi</p>	
17 18 19 20 21 22 23 24 25 26 27 28	7 Service Comment Report #2508915 COLA-69	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) • Prejudice (FRE 403) 	<p>Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to</p>	

		<ul style="list-style-type: none"> • Character Evidence (FRE 404) 	<p>hearsay apply; Relevant to show notice, County's inadequate supervision, discipline and training; Probative value out weights prejudice; Shows motive, lack of mistake, habit, modus operandi</p>	
16 17 18 19 20 21 22 23 24 25 26 27 28	8 Service Comment Report #258463 COLA-73-75	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) • Prejudice (FRE 403) • Character Evidence (FRE 404) 	<p>Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply;</p>	

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			outcomes and inadequate training and supervision; Probative value out weighs prejudice; Not character evidence	
16	An Analysis of Racial/Ethnic Disparities in Stops by Los Angeles County Sheriff's Deputies in the Antelope Valley Dated: 9/20	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) • Prejudice (FRE 403) • Character Evidence (FRE 404) 	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Shows County's unlawful policies and practices as well as notice of unlawful	

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1 2 3 4 5 6 7 8 9 10 11 12 13	19 Bail Bond File ASSIFF-3-9, 18-23	<ul style="list-style-type: none"> • Cumulative /Best Evidence (FRE 403) • Hearsay (FRE 801) • Foundation (FRE 901) 	<p>Foundation will be established at trial;</p> <p>Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply;</p> <p>Not cumulative</p>	
14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	20 HMNH Invoice ASSIFF-10-11	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) 	<p>Foundation will be established at trial;</p> <p>Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply;</p>	

1	21	Santa Clarita Emergency Medical Group Invoice ASSIFF-12-13	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) 	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply;	
13	22	Photos of Plaintiff's Injuries ASSIFF-24-29	<ul style="list-style-type: none"> • Foundation (FRE 901) 	Foundation will be established at trial;	
17	23	Photos of Plaintiff's Injuries COLA 120-146, 155-156			
20	24	Performance Evaluation COLA 15-17	<ul style="list-style-type: none"> • Hearsay (FRE 801) • Foundation (FRE 901) • Relevance (FRE 401, 402) 	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of	

1		<ul style="list-style-type: none"> • Prejudice (FRE 403) • Character Evidence (FRE 404) 	independent significance, exceptions to hearsay apply; Relevant to show notice, County's inadequate supervision, discipline and training; Probative value out weighs prejudice; Shows motive, lack of mistake, habit, modus operandi	
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19 Plaintiff reserves the right to supplement this list based upon late discovery. This list
 20 does not include documents for impeachment or rebuttal purposes.
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22 Defendants' Documents:

No.	Description	Objection	Response	Admitted
	Arrestee Medical Screening Form COUNTY000003-04	Foundation (901) Hearsay (801) Relevance (401, 402)	Foundation will be established at trial;	

1		Prejudice (403)	Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show injuries reported and/or observed immediately after the incident; Probative value out weights prejudice.	
20	Bail Bond Records COUNTY000005-09,			
22	Booking/Arrest Records COUNTY000010-22, 35- 55	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter	

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1			general compliance with process; Probative value out weighs prejudice.	
7	Incident Report, by Sergeant Travis Kelly, COUNTY000070-74	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply incl. party admission, state of mind; Relevant to show the Penal Code violation for which Plaintiff was arrested and	

1			general compliance with process; Probative value out weighs prejudice.	
7	Supplemental Report, by Deputy Joshua Clark COUNTY000076-78	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply incl. state of mind; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with	

1			process; Probative value out weighs prejudice.	
2	Supplemental Report, by Deputy T. Cohen COUNTY000079	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply incl. state of mind; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value	

1			out weights prejudice.	
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Incident Report, by
Deputy Garrett Gallegos
COUNTY000080-81

Foundation (901)
Hearsay (801)
Relevance (401,
402)
Prejudice (403)

Foundation will
be established at
trial;
Non-hearsay,
not for the truth
of the matter
asserted,
statement of
independent
significance,
exceptions to
hearsay apply
incl. state of
mind; Relevant
to show the
Penal Code
violation for
which Plaintiff
was arrested and
general
compliance with
process;
Probative value
out weights
prejudice.

1	Supplementary Report, by Detective R. De La Maza COUNTY000082-84, 96	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weighs prejudice.	
25	Taser Report COUNTY000085	Foundation (901) Hearsay (801)	Foundation will be established at trial;	

		Relevance (401, 402) Prejudice (403)	Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weights prejudice.	
	Watch Commander's Use of Force Review and Incident Analysis, by Sergeant Keith Greene COUNTY000088-95	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth of the matter	

1			asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weighs prejudice. Establishes that all departmental protocol was followed.	
23	Supervisor's Report on Use of Force, by Captain Justin Diez COUNTY000097-111	Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)	Foundation will be established at trial; Non-hearsay, not for the truth	

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Unit Commander's Use of
Force Report, by Captain
Justin Diez
COUNTY000112-114

Foundation (901)
Hearsay (801)
Relevance (401,
402)

of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weighs prejudice. Establishes that all departmental protocol was followed.

Foundation will be established at trial;

1		Prejudice (403)	Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weighs prejudice. Establishes that all departmental protocol was followed.	
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	<p>1 Division Commander's 2 Use of Force Report, by 3 Commander Christopher 4 Reed 5 COUNTY000115-116</p>	<p>Foundation (901) Hearsay (801) Relevance (401, 402) Prejudice (403)</p>	<p>Foundation will be established at trial; Non-hearsay, not for the truth of the matter asserted, statement of independent significance, exceptions to hearsay apply; Relevant to show the Penal Code violation for which Plaintiff was arrested and general compliance with process; Probative value out weighs prejudice. Establishes that all departmental</p>	
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1			protocol was	
2			followed.	
3	Force Review Package	Foundation (901)	Foundation will	
4	Checklist	Hearsay (801)	be established at	
5	COUNTY000117	Relevance (401,	trial;	
6		402)	Non-hearsay,	
7		Prejudice (403)	not for the truth	
8			of the matter	
9			asserted,	
10			statement of	
11			independent	
12			significance,	
13			exceptions to	
14			hearsay apply;	
15			Relevant to	
16			show the Penal	
17			Code violation	
18			for which	
19			Plaintiff was	
20			arrested and	
21			general	
22			compliance with	
23			process;	
24			Probative value	
25			out weights	
26			prejudice.	
27			Establishes that	
28				

1			all departmental	
2			protocol was	
3			followed.	
4	Photographs of Plaintiff			
5	COUNTY000120-156			
6	Videos of Scene and	Foundation (901)	Foundation will	
7	Plaintiff Interviews	Hearsay (801)	be established at	
8		Relevance (401,	trial;	
9		402)	Non-hearsay,	
10		Prejudice (403)	not for the truth	
11			of the matter	
12			asserted,	
13			statement of	
14			independent	
15			significance,	
16			exceptions to	
17			hearsay apply –	
18			incl. party	
19			admission and	
20			state of mind;	
21			Relevant to	
22			show the Penal	
23			Code violation	
24			for which	
25			Plaintiff was	
26			arrested and	
27			general	
28				

1			compliance with process; Probative value out weighs prejudice. Establishes that all departmental protocol was followed.	
10	Sergeant Kelly's Personal BWC Video			
12	LASD Policies and Procedures – Exhibit A (produced March 15, 2023)	Foundation (901)	Foundation will be established at trial.	
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18 Defendants reserve the right to supplement this list based upon late discovery. This
19 list does not include documents for impeachment or rebuttal purposes.
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24 DATED: June 16, 2023 The Law Office Of Thomas M. Ferlauto, APC
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26 By: _____
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28 Thomas M. Ferlauto

Attorney For: Plaintiff, JOSHUA ASSIFF

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3 DATED: June 16, 2023

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6 KJAR, McKENNA & STOCKALPER, LLP

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12 By: /s/ Molshree Gupta
13 Molshree Gupta
14 Attorney For: Defendants COUNTY OF LOS
15 ANGELES and TRAVIS KELLY
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